

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Deepak Gupta : Date: 11 August 2004

Group Art Unit: 2141 : IBM Corporation

Examiner: Quang N. Nguyen : Intellectual Property Law

Serial No.: 09/679,212 : Dept. IQ0A/040-3

Filed: 04 October 2000 : 1701 North Street

Confirmation No. 8179 : Endicott, NY 13760-5553

Title: SMTP EXTENSION FOR EMAIL DELIVERY FAILURE

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTO-1449 be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

08/18/2004 HALI11 00000062 090465 09679212

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This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(d). Each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement within three months of the filing date of the present application. The filing fee of \$180.00 (for other than a small entity) under 37 CFR §1.117(p) is to be charged to Deposit Account No. 09-0465.

Respectfully submitted,

By.

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Certificate of Mailing Under 37 CFR 1.8(A)

I hereby certify that the enclosed or attached correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 op N August 2004.

Karuna Ojanen

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FORM FIGURE (Modified)  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT																SERIAL NO. 09/679,212					
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EXAMINER DATE CONSIDERE

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance <u>and</u> not considered. Include copy of this form with next communication to applicant.